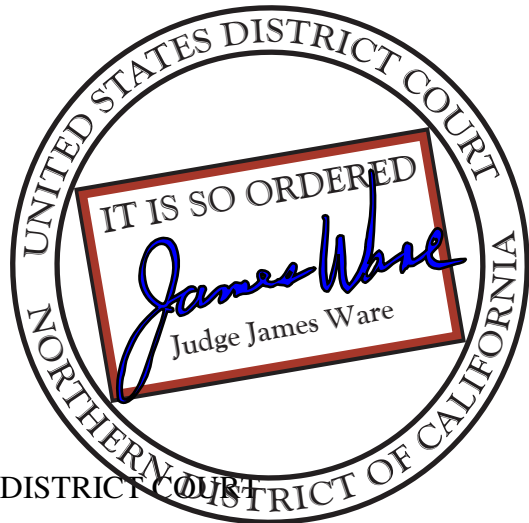


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7 UNITED STATES DISTRICT COURT
8 NORTHERN DISTRICT OF CALIFORNIA
9 SAN JOSE DIVISION

10 In re UTSTARCOM, INC. SECURITIES
11 LITIGATION

) Master File No. C-04-4908-JW(PVT)

) CLASS ACTION

12 This Document Relates To:
13

14 ALL ACTIONS.

) STIPULATION AND [PROPOSED] ORDER
) REGARDING ANSWERS TO THE
) FOURTH AMENDED CONSOLIDATED
) COMPLAINT

1 WHEREAS, on May 8, 2009, defendants filed and served their answers to the fourth
2 amended consolidated complaint in this action;

3 WHEREAS, plaintiffs believe defendants' answers are deficient;

4 WHEREAS, defendants disagree with plaintiffs' position;

5 WHEREAS, the parties are meeting and conferring in an attempt to resolve this dispute;

6 WHEREAS, pursuant to Rule 12(f) of the Federal Rules of Civil Procedure, plaintiffs have
7 20 days or until May 28, 2009 to file a motion to strike defendants' answers;

8 WHEREAS, the parties are in the process of scheduling a mediation in an effort to settle the
9 case;

10 WHEREAS, the parties wish to participate in a mediation before expending time and
11 resources on the dispute referenced above; and

12 WHEREAS, defendants have agreed to plaintiffs' request for an extension of time to file a
13 motion to strike defendants' answers.

14 NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED, by the parties,
15 through their undersigned counsel as follows:

16 1. Plaintiffs shall file any motion to strike defendants' answers on or before August 31,
17 2009, unless otherwise agreed upon by the parties or ordered by the Court.

18 IT IS SO STIPULATED.

19 DATED: May 20, 2009

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1 DATED: May 20, 2009

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10 Liang Lu, Michael J. Sophie, Ying Wu and
Thomas J. Toy

11 DATED: May 20, 2009

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22 Attorneys for Defendants SoftBank Holdings,
23 Inc., SoftBank Corporation and SoftBank
America, Inc.

1 I, Christopher P. Seefer, am the ECF User whose ID and password are being used to file this
2 Stipulation and [Proposed] Order Regarding Answers to the Fourth Amended Consolidated
3 Complaint. In compliance with General Order No. 45, X.B., I hereby attest that Bahram Seyedin-
4 Noor and Jason de Bretteville have concurred in this filing.

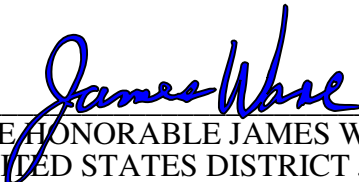
5 /s/ Christopher P. Seefer
6 CHRISTOPHER P. SEEFER

7 * * *

8 **ORDER**

9 PURSUANT TO STIPULATION, IT IS SO ORDERED.

10 DATED: May 21, 2009

11 
12 THE HONORABLE JAMES WARE
13 UNITED STATES DISTRICT JUDGE

14 S:\casesSD\utStarcom 04\STP00059522.doc

CERTIFICATE OF SERVICE

I hereby certify that on May 20, 2009, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the e-mail addresses denoted on the attached Electronic Mail Notice List, and I hereby certify that I have mailed the foregoing document or paper via the United States Postal Service to the non-CM/ECF participants indicated on the attached Manual Notice List.

I certify under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on May 20, 2009.

/s/ Christopher P. Seefer
CHRISTOPHER P. SEEFER

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